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7
8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 JAMES HOLLINS, individually,

11 Plaintiffs,

12 v.

13 WALMART INC., d/b/a WALMART, a
foreign corporation; and DOES I-X; and ROE
14 BUSINESS ENTITIES XI-XX, inclusive,

15 Defendants

Case No.: 2:24-cv-00494-CDS-DJA

**STIPULATION AND ~~PROPOSED~~ ORDER
TO EXTEND DISCOVERY DEADLINES**

(FOURTH REQUEST)

16
17 IT IS HEREBY STIPULATED AND AGREED, between the parties and their attorneys of
18 record, that **the current discovery deadlines to be extended to allow to take depositions of**
19 **experts and treating physicians and to extend deadline of dispositive motion**, pursuant to Local
20 Rule 26-1(b).

21 **I.**

22 **DISCOVERY COMPLETED TO DATE**

- 23 1. The parties have conducted the FRCP 26.1 Early Case Conference.
- 24 2. Plaintiff has produced his Lists of Witnesses and Documents, and supplements
25 thereto pursuant to FRCP 26(a) disclosing approximately 2000 pages.
- 26 3. Defendant has produced his Lists of Witnesses and Documents, and supplements
27 thereto pursuant to FRCP 26(a).
- 28 4. Defendant has propounded Request for Admission (35), Request for Production of

1 Documents (27) and Interrogatories (30) to Plaintiff on May 13, 2024.

2 5. Plaintiff has responded to Request for Admission (35), Request for Production of
3 Documents (27) and Interrogatories (30) on August 2, 2024.

4 6. Defendant has propounded a Second Set of Interrogatories (6) on August 16, 2024.

5 7. FRCP Rule 35b Examination of Plaintiff on September 30, 2024.

6 8. Inspection of the subject premises on October 3, 2024.

7 9. Plaintiff has propounded Request for Production of Documents (18) and
8 Interrogatories (14) to Defendant on October 17, 2025.

9 10. Defendant served its Designation of Initial Experts on October 31, 2024.

10 11. Plaintiff served his Designation of Initial Experts on November 7, 2024.

11 12. Defendant has responded to Request for Production of Documents (18) and
12 Interrogatories (14) on November 25, 2024.

13 13. Defendant has served its First Supplement to Initial Experts on December 4, 2024.

14 14. Defendant has served its Designation of Rebuttal Experts on December 6, 2024

15 15. Deposition of Janette Hollins.

16 16. Deposition of Plaintiff James Hollins.

17 **II.**

18 **DISCOVERY THAT REMAINS TO BE COMPLETED**

19 1. Deposition of Defendant Walmart Inc.'s 30(b)(6) witness(es)

20 2. Deposition of Sarah Brooks.

21 3. Deposition of Dr. Willis Chang.

22 4. Deposition of Dr. David Hart.

23 5. Deposition of Dr. Kenneth Chang.

24 6. Deposition of Dr. Nathan Richard.

25 7. Deposition of Dr. Luis Diaz.

26 8. Deposition of Dr. Andrew Manov.

27 9. Deposition of David Elliott, P.E.

28 10. Deposition of Dr. Eric Swanson.

1 11. Deposition of Dr. Nick Liu

2 12. Any remaining discovery the parties deem relevant and necessary as discovery
3 continues.

4 **III.**

5 **REASONS THE PARTIES REQUEST TO EXTEND THE DISCOVERY DEADLINES**

6 The parties respectfully submit, pursuant to Local Rule 26-3, that good cause exists for the
7 following requested extension. This Request for an extension of time is not sought for any
8 improper purpose other purpose of delay. Good cause exists for the following reasons: on February
9 25, 2025, Plaintiff disclosed additional treatments provided by ENT specialist Dr. Jeannie
10 Khavkin, totaling about \$12,000 in charges. On January 6, 2025, Plaintiff identified Dr. Khavkin
11 in a supplemental Rule 26 disclosure, however medical records were not provided with said
12 disclosure and plaintiff's computation of damage did not increase at that time. Plaintiff also
13 recently saw a new orthopedic provider, Nick Liu, M.D. and is in the process of disclosing his
14 records.

15 Furthermore, the parties have timely scheduled the depositions of several of Plaintiff's
16 treating physicians and experts. However, most of the doctors have not appeared at their scheduled
17 depositions. The parties agree that additional time is necessary to conduct additional necessary
18 discovery for this case, including the re-setting of the depositions of plaintiff's treating physicians
19 so said depositions can be completed. Defendant further submits it requires additional time to
20 address the recent disclosure of plaintiff's additional treatment with Dr. Khavkin and Dr. Liu,
21 including evaluation of potential retention of an ENT expert to opine on the reasonableness of Dr.
22 Khavkin's treatment. The parties therefore respectfully request the instant extension of sixty (60)
23 days to conduct the remaining required discovery for this case, including to permit Defendant to
24 evaluate retaining an ENT expert to perform a records review and disclose an initial report and to
25 take the remaining necessary depositions. The parties further request that the deadlines for initial
26 expert disclosures and rebuttal expert disclosures be extended as outlined below, for the sole
27 purpose to permit Defendant the opportunity to retain any necessary experts in response to
28 Plaintiff's disclosure of additional treatment with Dr. Khavkin and Dr. Liu.

IV. PROPOSED SCHEDULE FOR COMPLETING REMAINING DISCOVERY

Discovery Deadline	Current Deadline	Proposed Deadline
Motion to Amend/Add Parties	July 9, 2024	July 9, 2024
Initial Expert Disclosures	November 7, 2024	April 8, 2025
All Rebuttal Expert Disclosures	December 6, 2024	April 22, 2025
Discovery Cut-Off Date	March 3, 2025	May 6, 2025
Dispositive Motions	March 10, 2025	May 9, 2025

The parties represent this Stipulation is sought in good faith and not interposed for delay or any other improper purpose.

Dated this 27th day of February, 2025.

Dated this 27th day of February, 2025.

PACIFIC WEST INJURY LAW

TYSON & MENDES LLP

By: /s/ Kirill Mikhaylov

By: /s/ Griffith H. Hayes

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IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED this 2/28/2025